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11 *Attorneys for (Proposed) Intervenor-Defendants*  
12 CALIFORNIANS TO DEFEND THE OPEN PRIMARY  
13 and INDEPENDENT VOTER PROJECT  
14

15 IN THE UNITED STATES DISTRICT COURT  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
17

18 PEACE AND FREEDOM PARTY OF  
19 CALIFORNIA, *et al.*,  
20

21 *Plaintiffs,*  
22

23 vs.  
24

25 Dr. SHIRLEY N. WEBER, CALIFORNIA  
26 SECRETARY OF STATE,  
27

28 *Defendant.*  
29

30 CALIFORNIANS TO DEFEND THE  
31 OPEN PRIMARY and INDEPENDENT  
32 VOTER PROJECT,  
33

34 *(Proposed) Intervenor-Defendants.*  
35

36 Case No. 4:24-cv-08308-MMC  
37

38 **DECLARATION OF  
39 CHRISTOPHER E. SKINNELL IN  
40 SUPPORT OF ADMINISTRATIVE  
41 MOTION [Civil L.R. 7-11]**

42 DATE: March 28, 2025  
43 TIME: 9:00 a.m.  
44 COURTROOM: 7 (19th Floor)  
45 JUDGE: Hon. Maxine M. Chesney  
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## **DECLARATION OF CHRISTOPHER E. SKINNELL**

I, CHRISTOPHER E. SKINNELL, declare under penalty of perjury:

1. I am over 18 years of age. I make this declaration of my personal knowledge and, if called as a witness, I could and would testify competently thereto. I am one of the counsel of record for proposed Intervenor-Defendants Californians to Defend the Open Primary (“CADOP”) and Independent Voter Project (“IVP”) in this proceeding.

2. As discussed more fully in the motion to intervene filed simultaneously herewith, Proposed Intervenor-Defendants CADOP and IVP are the chief proponents of California’s Proposition 14, the Top Two Candidate Open Primary Act, adopted by the State’s voters in June 2010, at issue in this case. Proposition 14 has previously been subject to numerous legal challenges—this is now the seventh such challenge—and CADOP and IVP have been permitted to intervene in each of the prior cases to defend the measure.<sup>1</sup> Of particular note, they participated as Intervenor-Defendants in *Rubin v. Padilla*, 233 Cal. App. 4th 1128 (1st Dist. 2015), which was brought by the same three “minor” parties that are plaintiffs in this action, raising essentially the same claims as this case does.

3. CADOP and IVP have sought the parties' stipulation to intervene in this case as well, and while the Secretary of State does not oppose intervention, Plaintiffs do. Accordingly, CADOP and IVP have filed a motion to intervene simultaneously herewith. Having conferred with the parties regarding all counsel's availability to attend motion hearings, that motion to intervene is set for hearing on March 28, 2025.

<sup>1</sup> See *Clark v. Superior Court*, 2010 Cal. App. Unpub. LEXIS 1911 (Cal. Ct. App. 3d Dist. Mar. 16, 2010); *Field v. Bowen*, 199 Cal. App. 4th 346 (2011); *Chamness v. Bowen*, 722 F.3d 1110 (9th Cir. 2013); *Rubin v. Padilla*, 233 Cal. App. 4th 1128 (1st Dist. 2015); *Brown v. Bowen*, Case No. 2:12-cv-05547-PA-SP (C.D. Cal.); *Soltysik v. Padilla*, No. CV 15-07916-AB (GJSx), 2015 U.S. Dist. LEXIS 195316 (C.D. Cal. Dec. 11, 2015).

4. March 28 is also the date, however, on which Defendant proposes to set for hearing a motion to dismiss this case. Intervenors understand that motion will be filed today, pursuant to the prior stipulation of the parties. (See ECF No. 11.) Intervenors hereby respectfully request that the Court allow Intervenors to provisionally file a motion to dismiss as well, so that Intervenors' views on the merits may also be considered at the March 28 hearing. If the motion to intervene is granted, as it has been in every prior case, then Intervenors will not be excluded from full participation on the merits.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my personal knowledge, and, if called as a witness, I could testify competently thereto, except for those matters stated on information and belief and as to those matters, I believe them to be true.

Executed this 31st day of January, 2025, in San Rafael, California.

/s/      Christopher E. Skinnell  
                  Christopher E. Skinnell